

LETTER

TO THE
LORDS *and* Commons

OF
GREAT BRITAIN

In Parliament assembled;

Containing,

A State of the CAUSE between the
Right Honourable Sir ROBERT
WALPOLE and Mr *Wharley*,

AS

It now lies at *Issue* in the Hands of the
Members of the most Honourable the *Privy-*
Council, by Mr *Wharley's* most humble
Appeal to his MAJESTY, in the *Cause*
between Them.

*The Greatest Man in the Kingdom cannot injure
the Meanest, but he has his Remedy at Hand.*

Daily Gazetteer, July 15, 1741.

Finis Belli JUSTITIA. Grot.

L O N D O N:

Printed for the AUTHOR.

MDCCLII.

THE
 GREAT BRITAIN
 IN PARLIAMENT ASSEMBLED

A Bill of the Commons
 of Great Britain
 in Parliament assembled
 for the purpose of
 amending the
 Laws relating to
 the Trade of the
 Colonies



It now lies at the feet of the
 Commons of Great Britain
 in Parliament assembled
 for their consideration
 and for their assent or dissent
 thereto

Printed by W. Woodcock
 at the British Museum
 in the Strand
 London
 1844

LONDON
 Printed by W. Woodcock

[6]
RIGHT HONOURABLE

A N D

HONOURABLE,

I WOULD very unwillingly be thought, by the Interruption of this most humble *Address*, to break in on Your more serious Reflections, while You have the *arduous*, and never, in no time, more *arduous* Affairs of the Kingdom under your Consideration. But as Attention to the most serious Matters require in all Cases some Relaxation to prosecute them with the greater Success, so I would humbly hope, that the Attention you shall please to bestow on the following *Pages* will admit of that *Apology*.

I presume not to *plead* for Your regard, on this Occasion, to the Matter here most humbly laid before You, from any *personal* Concern of *my own* therein — A Complaint of a notorious *Act* of *Oppression*, of the highest Nature, persisted in from Power delegated by the SOVEREIGN to any *Fellow-Subject*, is of too great Consequence to the whole Kingdom to stand in need of *particular* Intercession, to enforce the Enormity of it,

A

or

or to recommend it to the Attention of every *Member* of a *free* Government, whose Power enables him, and whose Generosity prompts him to concur to *redress* it, as soon as it comes, *with proof*, to his Knowledge.

The *Matter* is now happily brought to an *Issue*. — To an *Issue*, RIGHT HONOURABLE and Honourable, of the *Noble Persons* own making, by his Answer to my most humble *Appeal* to his *Majesty* in the *Affair* between Us. *What* that *Issue* is will appear at the End of the *Appeal*, and in what Manner I have *joined Issue* with him will be seen in the subsequent *Paper*. I have, *generously* it will be found, admitted his *Plea* to be decisive *against* Me, on *his* Side, on his *establishing* the Truth of it, by a ready Method he has of doing it, if it *can* be done, and it must be uncontrovertably acknowledged to be as decisive *in my* favour if it *cannot*.

HONOUR my Case, RIGHT HONOURABLE, and Honourable, with your perusal; and may the becoming Resolution I have express'd in asserting, with so great Constancy and Force, the Rights of a *Free-born Englishman* to *Justice* against the most despotick *ministerial* Power ever known in our Nation, meet, from the brave *OLD-English* Spirit express'd thereby, with your generous Approbation. Let not the *Offspring* peruse with *Indifference* what the PROGENITORS would have read with *Pleasure*. But think with YOURSELVES, whether *formalizing* on the *Manner* of my present most humble *Address*, and for *that* or any other Reason, omitting to take Notice of it, in the Manner that becomes the Wisdom, the Honour, the Integrity, the Dignity, as well as the Power
of

of the *two great Legislative Bodies* of the *Kingdom*, will not be *countenancing* the arbitrary oppressive Pleasure of some *future over-grown Man* of Power to do the *same*, or the *like*, by some of *YOUR own direct or collateral Descendants*.

Nothing, *RIGHT HONOURABLE*, and *Honourable*, is more incontestable at *Common Law* than the *Subjects Right* of *petitioning* his *SOVEREIGN*. The *Proviso* in the *Act* of 13 *Car. 2*, *referr'd* to in my most humble *Appeal* is only *Declaratory* of what the *Common Law* from time immemorial has made the *Subjects Right*, and expressly specifying a *private Grievance* (unquestionably meaning from a *Fellow-Subject* in *Power*) may be *Matter of Complaint* to the *Sovereign* who *employs* him, as well as any *Matter* of ever so *publick* a Nature. And it must also be allowed, that however indulgent our *Princes* may *have been* or still *continue*, to receive a humble *Complaint* from a *meaner Subjects own Hands*, the *proper Method* of *Application* to the *Throne* is by the *Hands* of those *Ministers* of its *Power* and *Commands*, the *Privy Counsellors*. — But I trust and hope, there will *now* be no *Occasion* for troubling the *Father* of our *Country* with so *private* an *Affair*, in any *Shape* whatever. And that the *Decision* of the *Matter* complain'd of, will appear to lye in so *clear* and so *short* a *Point* as to render it *needless*.

AND when you shall please to honour with *YOUR Attention* the *Case* itself, omit not, *RIGHT HONOURABLE*, and *Honourable*, the *Consideration* of the * *Aggravation* with which the *Injury*

* See the Verses at the End.

complained of has been attended. — An *Aggravation* that, of itself, CONFIRMS the *Original Injustice* done me on the bare Face of it, beyond all *Exception*. Since it is not possible SUCH a Method would have been taken to *stifle* a *Complaint* of any Sort, could it have been *avoided* by contrary *Fact*, by *Law*, or by *Reason*.

I pity with all my Heart the *Noble Auxiliary*, that could prostitute his Pen on the Occasion, and endeavour so wantonly and so basely to wound in the Dark a Man who had never given him the least Provocation; but, an *equal* Share of Guilt surely must be *that* Man's for *whose* meritorious Sake, and unquestionably with *whose* Privity and Approbation, it was so ignobly prostituted.

I shall add no more, RIGHT HONOURABLE, and Honourable, by Way of *Introduction* to the following *Papers*, but humbly proceed to lay them in order before You. Beginning with the *Appeal* itself, to which I shall beg Leave to prefix the *following Letter* sent with it to the *Minister*. A Copy of which was circulated with the *Appeal* to many of the *Noble Patrons* of it.

To the Right Honourable Sir R— W—

*Berry-street, St. James's
March 21, 1740-1.*

S I R,

I*N my Judgment signed, p. 27th, I say "That
" I do not, in the least, doubt of my being in
" Possession of a legal Remedy against You,
" by Petition to the KING," from using which I
hoped that Recollection, in your own, as well as
in my Favour, would have prevented Me. But as
it has not, Here, Sir, is my Appeal to his MA-
JESTY, in the Affair between Us. Which I have
an unquestionable Right to make. But how to
present it has been my greatest Difficulty. — I could
think, for obvious Reasons, on no other Way, than
that which I have taken. Humbly presuming,
That every Privy-Counsellor, disjunctively consi-
dered, by his original and still subsisting, however
much disused Office, as Such, may, of himself,
humbly acquaint his Majesty with what concerns
his Majesty to know, ought, wherever Duty to his
Sovereign enjoins him, and will wherever a Sense
of Honour, a Dislike to Oppression, a Love for
Justice, Duty to his Majesty, and Compassion to-
wards the Oppress'd, calls him to it.*

*How far acquainting his MAJESTY with the
Contents of this most humble Appeal comes within
any, or all these Rules is most humbly submitted to
all in general, and to your self, in particular, by*

S I R,

Your, &c. &c. &c.

R. W.

THE
Dernier Resort:
OR, AN
A P P E A L
TO THE
K I N G,
IN THE
C A U S E
Between the Right Honourable
Sir ROBERT WALPOLE
AND
Mr. Whatley.

Nulli negabimus, nulli deferemus Justitiam vel Rectum.

Magna Charta, Cap. 29.

*Provided always, That this Act, or any Thing
therein contained, shall not be construed to extend
to debar or hinder any Person to present any public
or private Grievance to the KING's Majesty for
REMEDY to be thereupon had. 13 Car. 2. chap. 5.*

T O

The Right Honourable the
Earl of WILMINGTON,
Lord President,

A N D

The Rest of the Members
of his MAJESTY'S most
Honourable *Privy Council.*

MY LORDS,

WHAT I conceive I could not have
done, or, at least, your Lord-
ships have accepted at my Hands, by
private Application, without giving
Colour to the being, in some Measure,
thought Parties to my Complaint, I
humbly beg Leave to be admitted, for
the Sake of Justice, to do, in this
unusual,

viii DEDICATION.

unusual, perhaps, unprecedented Manner, to present your Lordships with this my humble APPEAL, publickly, that it may be laid before his MAJESTY, and Remedy thereon had, as in Justice from itself, or, if necessary, on any further Enquiry, shall be thought meet. ---- Whatever, My Lords, is reasonable needs no Precedent. It is a Precedent itself.

YOUR Lordships will, on opening it, perceive, That the Subject of this Address is wholly of a private Nature, containing a Complaint of an Act of Injustice done by an immediate Servant of his MAJESTY, to my great Prejudice, at first, and long stood out in, to my much greater. Which after having been, in vain, stated to the Publick, that Reason might take Place, with full and
decisive

DEDICATION. ix

decisive Reply to every Answer that has been given to it, is now most humbly appealed against, that Justice may be done in the Matter.

I hope in thus beseeching your Lordships, publickly, jointly and severally, to be my kind Intercessors with his MAJESTY, "That I may obtain some " Reparation, suitable to so great an " Injury," I shall not be thought to transgress the Bounds of that Duty, and Submission, wherewith I ought to be, and truly am,

MY LORDS,

Your Lordships

Most humble,

and most obedient Servant,

ROBERT WHATLEY.

TO THE

K I N G.

May it please your MAJESTY

TO permit the humblest of your
Subjects to approach, in this unusual
Manner, your *Royal Presence*, and
to lay before You, a *Complaint* of a very
great and notorious *Act of Oppression*, I have
long laid under the Weight of, from your
Prime-

Prime-Minister, for *Redress*, by your MAJESTY's just and legal Interposition, after having, in vain, on long suing for it by private Application, brought it before the Publick, in general, with full Conviction of the Injustice done, for Redress from *Himself*.

BUT; SIR, contrary to all reasonable Expectation, it has so happen'd, that neither a Sense of private Honour, or Respect for the Publick, nor Reverence towards your MAJESTY, his *Royal Master*, has had any Influence over your *Minister*, to do Justice in the Matter, — and I have now, left me no other *Resort* for Relief, but to that *Remedy*, the *Law* of *England* allows me on the Occasion, “The Equity of your
“ *Royal Mind*.”

HAD my *Case* had the good Fortune, as laid before the Publick, at large, to have reach'd your *Majesty*, I am well assured, it would have been taken into your Royal Consideration and, long since, have prevented my present Application. Your *Majesty*, so greatly and so justly renowned, both at Home and Abroad,

for a *Prince* of the strictest Honour, would, I am very well persuaded, on seeing it so well supported, have, from the peculiar Hardship of the *Case*, expostulated with your *Minister* for giving so just Occasion for a publick *Accusation* against him. But, SIR, it is a Misfortune that attends the exalted Station of *Princes*, amidst all their distinguishing Glories, that they cannot of themselves see every Thing, of many Things not so much as other Men, and what is still to be lamented, have not, always, those at Hand who will acquaint them with that which, oftentimes, is their great Concern to know. And it was an *Observation* of your *Majesty's* great Predecessor *Henry the Eighth*, on the like Occasion, (thought by the *noble Writer* of his Life worthy to be transmitted to Posterity) *That no Man was so blind any where as in his own House*; adding to the *Person* who complained to his *Majesty* of his *Prime-Minister*, "Go to him, and tell him, if any *Thing* be amiss, that he amend it. * That *King*, SIR, was a Prince of great Spirit, great

* p. 90.

Resolution, and strict Honour. He knew how to give his *Ministers* Power, and he knew how to controul it, when they made an ill use of it. — Your MAJESTY as notoriously succeeds him in these his Royal Virtues, as in his Kingdoms. And, I humbly hope, from the high Sense I have of your *Majesty's* strict Justice, that he will not be the *only* Prince, that shall have recorded of him so reasonable, so honourable, so truly Royal an *Answer*, on the Occasion, but that your *Majesty* will vouchsafe to give the *like*; and in order to it, will be pleased to honour my humble *Complaint* with your princely Attention, and command it to be *enquired* into.

To *me*, SIR, it has been, it is still, a Cause of the greatest Moment, as it has been a Matter of the most grievous and greatest *Oppression*. An Oppression that *Power*, conferred by your Majesty's *Self*, has given Birth and Continuance to (for your *Minister* thought it not advisable to stand by the Injury he has done me in your *Royal Father's* Life-time*) to the

* Short History, 1st Edit. p. 16. 2d Edit. p. 14.

bereaving

bereaving me, in the most ungentlemanlike dishonest Manner, of my whole *Success* in Life. For such, SIR, will my Case appear when examined into; and such has it appeared to every intelligent and impartial Mind, that has perused it.

I should have thought myself very happy, had I been able to have applied to your *Majesty* in a more regular Way, by *private* Petition, but when your *Majesty* shall be pleased to take into your Royal Consideration, the insuperable Difficulties of my so doing, You will graciously be led to pardon my *Method* of Application. However, SIR, may I have leave, here, to say, by Way of Anticipation to an Objection that cannot too soon be *obviated*, should it, of itself, arise, or, rather, be suggested to your *Majesty*, "That in what I have already done, " or now do against your *Minister*, in vindicating my *Right* to a very great *Ballance* " in his Hands, wrongly withheld from me, " *I am one listed in your Minister's* Enemies " *Service,*" I beg I may have Leave to say, That I *am in no Correspondence with any of*
your

your Minister's Enemies ; nor ever, from the Beginning of my Accusation, to this Conclusion of it, have I had suggested to me any single Step I have taken in the whole Affair ; nor is there that Man on Earth, who is privy to what I have assumed to myself in this most humble Address to your Majesty. As, in Point of Favour, I never had any Pretensions on Sir Robert Walpole, so neither have I Expectation from any Other, who shall ever succeed to his Station. Nor did any Man ever hear me speak a disrespectful Word of him, notwithstanding the high Injustice I have suffered from him for so long a Time.

I WAS obliged, SIR, to allow my Pen the Liberty of this short *Digression*, to prevent my humble *Complaint* to your *Majesty* from being *mistaken*. Which humbly craves Leave to stand on its own Bottom, and not to borrow any Weight from the prevailing Animosities of the Times, which I have neither *Expectation* nor *Desire* of benefiting myself at all by— I only wish the Nation may.

BUT

BUT free, as I truly can say I am, from all worldly Ambition, and *Party* Interest, I am not free from a *Desire* of having *Justice*, in the End, done to my *original Fortune*; of which I have been so notoriously defeated, by overbearing Power, and the great *Loss* I have sustained thereby, in some Measure made up to me, by your *Majesty's* gracious *Interposition* with your *Head-Servant* to that Purpose.—In humble Confidence whereof, I proceed most humbly to *state* the Subject of this my *Appeal* to your MAJESTY,—Of which,

GREAT SIR,

“ IF the *Truth* of the *Fact* alledg'd against
 “ your *Minister*, be not establish'd beyond
 “ all Contradiction, or shall not be so, on
 “ any *Examination*, that shall be further, personally, had of it; if such Fact, when established, does not imply a most unparallel'd
 “ *Act* of *Oppression*; if that *Act* of *Oppression* does not require, by the Laws of God
 “ and Man, *Reparation*; and if the *Power*
 “ of that *Reparation*, from the *Circumstances*
 “ of the *Case*, be not, by the *Constitution* You
 “ are royally at the Head of, in your MA-
 JESTY

“JESTY only ;” If every one of these is not in my Favour, I not only resign all Pretensions to the Thoughts of having had any *Injury* done me, but freely offer myself to undergoe the most condign Punishment for having laid it to so *noble* a *Person's* Charge : — But, SIR, if, on the contrary, they are all with me, your *Majesty* will please to permit me to say, “ That it will be doing “ YOURSELF *Honour* to do Me *Justice*.”

My *Fact*, SIR, is *This*,

“ THAT so long ago as when the late Lord
 “ Chancellor *King* had the *Great Seal* given
 “ him by your *Majesty's* Royal Father, an
 “ *Agreement* was enter'd into between his
 “ *Lordship* and Sir *Robert Walpole*, that they
 “ should reciprocally provide each for a
 “ *Friend* of the *Other* ; and that on his *Lord-*
 “ *ship's* giving a Place of 300 *l.* a Year Value
 “ to your *Minister's* Nomination, your *Mini-*
 “ *ster* was to give a Place of like Value to
 “ his *Lordship's*. One of the *Trustees* of his
 “ *Daughter-in-law* was nominated by the then
 “ Mr *Walpole*, to his *Lordship* ; I, an old and
 “ highly favoured Friend, a known Dependant
 C “ and

“ and Expectant of the *Lord Chancellor*, by
 “ his *Lordship*, to Mr *Walpole*. This Agree-
 “ ment, *SIR*, I had *confirmed* to me, soon
 “ after, by your *Minister* himself, *from his*
 “ *own Lips*, in a *private Audience*, and full
 “ State of the Occasion of my Introduction to
 “ him; with which he so far *complied*, as that
 “ a *Place* not readily falling suitable for me,
 “ he gave me, and promised both to the *Lord*
 “ *Chancellor* and to *myself*, he would continue
 “ to give me the *Value* of it, yearly, till a
 “ *Place* of like Value fell; and accordingly I
 “ had, in the following Year 1726, 300*l*
 “ given me *by his own Hends*. I have since
 “ had, at several times, 350*l* more, in all
 “ 650*l*. And after a patient Course of feve-
 “ ral Years *Application* to have the *Terms* of
 “ the *Agreement* more effectually comply’d
 “ with, according to the Hopes from time to
 “ time given me thereof, on my peremptory
 “ insisting, at a proper Opportunity, to have
 “ it done, I was absolutely *refus’d* all further
 “ *Consideration*.”

HERE, *SIR*, is my *Case* in short; and for
 a larger Exposition of it, and for my full and
 final

final *Reply* to whatever *Answer* your *Minister* has publickly, or privately, given to it, I must beg leave most humbly to refer (not presuming to trouble your *Majesty* with the Detail of it *here*) to what is, on *Record*, in the Hands of all the World, either to speak for me, or to be admitted to make it good, by what is therein written. Truth will admit of no Variation, and I rest the Merits of my *Case* upon it,

IF the *Fact* which I have here, in short, most humbly stated to your MAJESTY will not, as certainly it will not, admit of any Dispute, my next most humble Address is, to the *Equity* of your *Majesty's* Royal "Mind, Whether by the Laws of GOD
"and *Man*, of Mankind *in* a Court as
"well as *out* of it, a most certain *Obliga-*
"tion does not arise from it?" Your *Minister*, SIR, had a *Consideration* given him in Hand, at his own Request, for the Advantage of one of his *own* Family, or nearly *related* to it; he voluntarily submitted to the *Terms* of it, "When he knew *Ano-*

“ *Another's* Fortune in Life depended on his
 “ *Observance* of them, (for that was told
 “ him); *acknowledges* to that very *Person*
 “ such *Obligation* in himself; *promises* to ob-
 “ *serve* it, and *conforms* to it, in part”-----
 What, SIR, can be an *Assumption* of an *Obligation* on a Man's self, if this be not? And what *Obligation* on Earth ought to have been held more *sacred*, while Honour and Honesty dwells among Men?

THE *next* Thing that I would most humbly offer to your *Majesty's* Royal Consideration, is the “ *Loss* I have sustain'd, by such *Agreement's*, in my Favour not being fulfilled.”

AND this, SIR, to a *Degree*, is very apparent, tho' in the *Whole* not easily to be said ‘ *How Great.*’ For, besides the manifest *Inconveniencies* I have suffer'd by its not being fulfill'd, no one can say what *Progress* I might not have made on so honourable an *Introduction* into Life at that Time of it *many ways*. In the *first* Case, It is very plain, That as I was to have as *good a Thing* (your MAJESTY'S *Minister's* own Words to me) given to me on
 one

one Hand, as his *Daughter-in-law's Trustee* had given to him *on the other*, in Consideration thereof, and as his *Daughter-in-law's Trustee* continued possess'd of *such Place*, or, by the *Minister's Influence*, of a *better*, during the whole *Chancellorship* of my great Patron, which continued eight Years and a half; 300 *l.* a Year, for eight Years and a half making 2550 *l.* Sir *Robert Walpole's Friend* was consequently a Gainer of 2550 *l.* within that Time, on *his Side*, and on *mine* 650 *l.* only received.—How apparent the Injustice! This Sum of 650 *l.* being taken from the former, does there not remain a Ballance on this, the lowest State that can be made of it, of 1900 *l.* of which I have been *wrong'd*, on the clearest Evidence ever Man was liable to any Demand upon him for? “Unless 650 *l.* “ in my Hands be *as good a Thing*, as 2550 *l.* “ in his *Daughter-in-law's Trustee's*; Or unless, “ when Sir *Robert Walpole* should himself “ acknowledge he *was* paid for giving me as “ *good a Thing*, he really was *not*; or, That “ when under the *Obligation* of such *Acknowledgement*, he is intitled to any *Dispensation* “ for not *performing* it.”— But *which* is now
most

most humbly submitted to your *Majesty*, in this my most humble *Appeal*.

IN bringing which *Appeal*, far be it from me, *SIR*, to rely on your *Majesty's* Goodness in Prejudice of your Justice, or in the least to desire your *Majesty's* superior Power should be exerted *wrongfully* in my Favour—If a *Subject* has a *Right* to *petition* his *Prince*, he must certainly have a *Right* to have his humble *Petition* enquired into, and *Justice* done according to the *Merits* of it. Both these, *SIR*, are *express Law*, secured to the *meanest* Subject of your *Majesty*, without Exception. The 13th of *Charles the 2d*, *Chap. 5.* made to prevent and restrain *tumultuous* Petitions, concludes with these Words following :

“ PROVIDED always that this Act, or any
 “ Thing therein contained, shall not be con-
 “ strued to extend to debar or hinder any
 “ Person to *present* any publick or PRIVATE
 “ Grievance (or Complaint) to the King's
 “ MAJESTY for REMEDY to be thereupon
 “ had.” Can there be clearer Authority for
 my present Presumption, or for my humble

Ex-

Expectation, that your *Majesty* will graciously please to take Notice of it, and cause Justice to be done in the Matter?

To bring, SIR, the Matter in Dispute between your *Minister* and *Me* to this *Issue* of “ Laying my Case most humbly before your “ *Majesty*”, was what I have always had in view (should it, in the End, prove necessary) from the Beginning of my putting Pen to Paper, to do myself Justice. But I, (indeed weakly, as the Effect has shewn) flatter’d myself, That after having modestly stated my *Cause of Complaint*, clearly and unexceptionably prov’d the *Injustice* done me, shewn the greatest Moderation in applying for so long a Time, privately, for Satisfaction—That, On its going abroad, that Respect would have been paid to the *Publick*, to the *Eminency* of the *Station* your *Minister* is in, to the Honour of the *Order* He is of, to your *Majesty*’s Honour, whose Goodness invested Him with the *one*, and continues Him in the *other*, as, That he would of *Himself*, have done me Justice, and made me *Reparation*.

BUT

BUT it has so fallen out, that these *Considerations*, however weighty in themselves have not been comply'd with by your *Minister*; and it is *Power*, SIR, not Reason that must have Weight with him. If the Exorbitancy of it in his own Hands, for so long a time, has not effaced all Sense of there being any *above* him.

YOUR MAJESTY is the Fountain of *Justice*, and of Justice to *Me*, as well as of *Favour* to the greatest Man in the Kingdom, and the *proper* and *only* Person to be apply'd to for Redress on the Abuse of Power in any of your *great Subjects*, your MAJESTY'S *Servants*, that shall presume to *deal unfairly* with any one of the *least* of their *Fellow Citizens* by virtue of such Power. And had I not had *final* Recourse to your MAJESTY on this Occasion, what I have done hitherto in Vindication of so *important* a *Right* so notoriously violated, might have been justly liable to sinister Interpretations, As if I had entertain'd an unbecoming Doubt of your *Majesty's* just Resentment, or had done it out of Wantonness,

tonness, impotently to expose your *Minister*,
 (for whose *high Station* no Man has a greater
 Reverence than myself,) or as an Act proceed-
 ing from a mean Spirit of *Revenge*, and not
 from the *most laudable* of all *Principles*, “ a
 “ generous Design of *obtaining Justice*.”

THIS, SIR, is the sole View I have had,
 in most humbly prostrating myself, in this
 unprecedented Manner, at your *Majesty's* Feet;
 And for which I hope I shall meet not only
 with your gracious Pardon, but compassionate
 Protection.

I HAVE the Honour to be, with the pro-
 foundest Duty and Submission,

May it please your MAJESTY,

Your MAJESTY's

Most humble,

most obedient,

and most loyal Subject,

ROBERT WHATLEY,
 D

HERE, RIGHT HONOURABLE, and Honourable, is my *Appeal*, which, I hope both as to *Matter* and *Form* is neither *illegal*, nor *unbecoming* an *English-British* Subject to make to his SOVEREIGN, on an *Act* of so great *Oppression* from a *Servant* of his Majesty's so long stood out in, and wherein the whole *Fortune* of his Life has been concern'd, and indeed intirely subverted, and for which all *Reparation* has been so long so obstinately *opposed*. I hope, tho' I have pass'd it but *slightly* over in the *Appeal*, when You shall take the *Injustice* done Me into YOUR Consideration, You will please to observe the whole *Damage* that I have *sustain'd*, Of which the 1900*l* mentioned in the *Appeal* is but a *small* part. For *why* should Mr *Whatley* after the best of *Educations* be the *only* Person, incapable of *improving*, to his much greater Advantage, so handsome an *Introduction* into Life as was *provided* for him, and *paid* for to the *Minister* by his *noble Patron* so early in it? An advantageous *Introduction* into Life is well known to be All in All, as to any *Success* in it. And he who *loses* that *loses* every Thing.

The *Minister's* Friend better'd his *Condition*, and from a *Clerk* of the *Presentations* was made a *Master* in *Chancery*, under the *Lord Chancellor*, and *why* might not the *Lord Chancellor's* Friend have advanced *his* under the *Minister*; or by other Means in proportion? *Why* must Mr *Whatley* be the *only* Person, that could *not* have made a *Progress* in Life according to the common Course of it? What *Compensation* can be fully made

made him for the *Disadvantages* he has laboured under for so long a Time, through the Loss of the *Enjoyments* and *Agreeablenesses* so ample a *Provision*, (with what might have been reasonably expected to have been *added* to it,) would have brought with it? No probable Reason can be assigned why Mr *Whatley* should not *now* have been in Possession of the *Value* of what ought to have been *originally* given him, with considerable *Improvements*.—But to return to the *Appeal*.

IT was unquestionably, highly reasonable that before any other *Step* was taken in it, the *Noble Person* appealed against should be *spoke* to, concerning it.—He was so—And *what*, RIGHT HONOURABLE, and *Honourable*, was his *Answer*, when the Matter became *serious* and when none of the evasive *Answers*, from time to time meanly and unworthily thrown out to *myself* would serve the Turn any longer? I humbly conceive I had a *Right* to an *Answer*, of some sort or other, unless *Those* that I apply'd to for *Redress*, would have been pleased to have *concurr'd* in the *Injury*. In conducting my whole public *Process*, I have been led by this *Principle*, “That the proper *Justice* of my Country was due to *Me*, however mean and *inconsiderable* I might be *Myself* in it, against the *Greatest* Subject of the same Civil Community, could I make the *Injustice* complain'd of, incontestably appear.”—And I have never doubted, RIGHT HONOURABLE, and *Honourable*, but, in the End, I should *obtain* it. I have been prompted by no Man to do what I have done in *maintaining* my *Suit*; I have solicited no Favour throughout from any *Man*, *Party*, or *Faction*; I have no

Pretensions to Favour from *any Man*, but I have to *Justice* from *every Man*, any ways *able* in his *Station* to concur towards my *obtaining* it. And after having placed my Refuge in the Right Honourable *Members* of that most Honourable *Body* to introduce my Case before *whom* it was to be laid, I humbly conceive I had a *Right* to have some *Answer* or other, given Me. But, undoubtedly, it was *proper* to know what the *Noble Person* appeal'd against had to *say* to it, before it went any *further*.— And *what* was His *Answer*? Why a bold Assertion is made, a *temporary* Expedient, according to Custom, is thought on, and the most notorious *Untruth* advanced on the Occasion, *viz.*

“ That Mr *Spicer* was AS MUCH Lord Chancellor KING's *Friend*, as Mr *Whatley*, and PREFERR'D by his *Lordship* BEFORE him.”

I am pleading RIGHT HONOURABLE and Honourable my OWN Cause, and I am pleading it for the last Time, a Cause wherein my true Fortune, and Character in Life is concerned, in a Matter of Justice, wherein no One Man has any Pre-eminence to Another, and therefore desire I may be admitted to speak out.

I call this Assertion very freely a most notorious *Untruth*, because no *Truth* of a private Nature, has, perhaps, more *Witnesses* to the contrary, nor more eminent, or more unexceptionable. To how many even among YOURSELVES, RIGHT HONOURABLE, and Honourable, and among those that belong to You*, might I not Appeal for the

* My Lords the Judges and Masters in Chancery.

most friendly Manner I had the Honour to live with Sir Peter King from 1710, when I had the Honour, first, of his Acquaintance till 1725, when he had the *Seals*? I defy that Man to be mentioned that had *freer* Access to him than *myself* whenever I was in Town during that Period. And it was on his Lordship's *transition* from the *Chief-Justice-ship* to the *Seals*, that the *Minister* himself acknowledged to Me, that the *Provision* in question, from HIM, for *myself*, was agreed on, and *paid* for by an *Equivalent* in his Hands*. And let the *Copies* of the many most friendly *Letters* I received from the Lord Chief Justice KING speak for me, or if the *Copies* and *Extracts*, I have given of many † of them will not do, let the *Originals* and *Letters* themselves be called for. — But I freely give all this Evidence in my Favour up in falsifying the forementioned *Assertion*. I need it not. The *Minister's* own *Witnesses*, referr'd to under the second *Query* annex't to the ensuing *Affidavit*, shall be My *Witnesses* to the *Truth* of it, “by their *not* being able “to *maintain* it.” No question can be made but, as they were *challenged* to do it, they had both been long since called upon to *maintain* it could they have done it. That *Man* deserves not to live in *Society*, much less in so *high* a *Station* in it, who on so publick a Charge of so great *Injustice* would not have paid that *Reverence* to the *Publick*, and done that Honour to his PRINCE, as to *discharge* himself of so heinous an *Imputation*, if it could be done. The very *asserting* a Thing so

* See Short History. † Ibid.

contrary to it, when charg'd with it, in an *Appeal* to our common SOVEREIGN, is a manifest Proof of his being *ashamed* of it; as any other truly Great Man would have been on the like Occasion. The *Answer* is indeed to the *Point*, and if *maintained*, entirely subverts my *Pretensions*, and fully justifies the *Minister* against Me: For which Reason I resolved to *join Issue* with him thereon, and in order to do so, on receiving the forementioned *Answer*, drew up the following *Affidavit*, and going to the publick Office in *Chancery-lane* to swear it, swore it before Mr Sp—r himself, whose *turn* it happened then to be *there*. And back'd it immediately with the following *Queries*; in the *two first* of which I *join Issue* with the *Noble Person* on his *Answer* to my *Appeal*, and the *Rest* of the *Queries* were suitable to the Circumstance my *Affair* was in at that time, and no ways *foreign* to it now; and being transmitted together with the *Affidavit* in support of the *Appeal* to the *Right Honourable Persons* to whose *Patronage* I had committed it, I make both *Affidavit* and *Them* part of this most humble *Address*, RIGHT HONOURABLE, and Honourable, to You, That You may have the *Whole* before You:

COPY of an AFFIDAVIT made by the Rev. Mr WHATLEY, the 23d Day of *April*, 1741, at the *publick Office* of the *Masters in Chancery*, before W. SPICER, Esq; one of the *Masters* of that *Court*, occasioned by his *Appeal* to his Majesty, in the *Cause* between the Right Hon. Sir ROBERT WALPOLE, and the said Mr *Whatley*, with some *Queries* annex'd.

ROBERT WHATLEY, Clerk, maketh Oath, That in the original Inter-course He had with the *Lord Chancellor* KING and Sir ROBERT WALPOLE, concerning the *Provision* the *Latter* was to make for him the said *Deponent*, the *Lord Chancellor* KING told him, "That he might assure himself he expected an *Equivalent* for him from Mr WALPOLE for what he had given his Friend at his Request." And that soon after, the Right Honourable Sir ROBERT WALPOLE in a *private* Audience assured him, the said *Deponent*, "That he would give Him as good a Thing as his *Lordship* had given to Mr SPICER. That the Word *Equivalent* was what the *Lord Chancellor* used on that Occasion, and the Words *as good a Thing*, which
the

the *Honourable Gentleman*, above-mentioned made use of. The *Honourable Gentleman* saying at the same Time, "*That he was unwilling to ASK the Place of the Clerk of the Presentations of the Lord Chancellor for Mr SPICER, not doubting but the Lord Chancellor had his OWN Friends to provide for, but that the LADIES press'd him to do it. He, the said SPICER, having been one of his Daughter-in-law's Trustees,*" — a Relation utterly unknown, in that Gentleman, to the said *Deponent*, till Sir ROBERT WALPOLE told it him himself. Who, on his having it granted to him to nominate to the said Place, further told this *Deponent*, "*That he thereby became engaged to the said Lord Chancellor to provide for a Friend of his Lordship's Nomination in a Place of like Value, and that he would do so,*" or used Words to that Effect. That a Place not readily falling, the forementioned *Honourable Person* promised to give Him, the said *Deponent*, the Value of it, till one of like Value suitable for him should fall; and accordingly He, the said *Deponent* received *Three hundred Pounds* in 1726, from the Hands of the said *Honourable Person*, with the *Assurances* of his continuing to give him the Value of the Place till he was more stably provided for, or in Words to that Effect. And that the said *Deponent* has heard the *Lord Chancellor KING* often say, "*That Sir ROBERT WALPOLE had a Consideration, and a valuable*

able Consideration too, from the said Lord Chancellor, for what he the said Sir ROBERT WALPOLE was to do for him the said Deponent.

And the said Deponent further saith, "That He expressly acquainted the said Honourable Gentleman, that the Reason why he desired of him the Favour of the fore-mentioned private Audience, was, "That he might know "from himself what He, the said Deponent, "had to depend upon from him the said Sir "ROBERT WALPOLE, by Virtue of the said "Lord Chancellor's Recommendation;" And the said Deponent further saith, that the said RIGHT Honourable Gentleman answer'd him thereto, "That every one was to be commended for taking care of his own Interests.

Sworn the 23d Day of April,
1741, at the publick Office, ROBERT WHATLEY.
before me W. SPICER.

*A few QUERIES humbly submitted
to Those whom it may concern, on
the foregoing Affidavit.*

Q. 1. If the Contents of this Affidavit are true, it is humbly asked, in the first Place, Whether it can be truly affirm'd, "That "Mr SPICER had the Place of Secretary of "the Presentations from Lord Chancellor
E "KING

“ KING, by Virtue of his own Interest in
 “ his Lordship, or of his being his Lord-
 “ ship’s preferable and *preferr’d* Friend to
 “ Mr *W*?

Q. 2. Whether any *simple Assertion* of the
Greatest Commoner shall be taken, in any
 Matter, against the *positive Oath* of a
 known, and avowedly honest, tho’ *meaner*
 Man, (especially in a Matter where the *In-*
terest of the *One*, and the *Honour* of the
Other is so nearly concerned) without his
 calling upon *Those* in whose Power it is to
confirm such *simple Assertion*, if true, by an
opposite Oath?

Mr. *W*. will not go so far, on this
 Occasion, as to insist on the *Minister’s*
 own Oath in Support of his *Assertion*, he
 will content himself with the Oaths of
 HER of the *Ladies* residing in *England*,
 and of Mr *Spicer* himself. And if the
Lady will *depose*, that *she herself* never
 did speak, and believes that her *Daugh-*
ter never did speak to the then Mr *WAL-*
POLE to get the Place of *Secretary* of the
Presentations, of the late *Lord Chan-*
cellor KING, for his Daughter-in-law’s
Trustee; and if Mr *SPICER* himself will
 make Oath, That it was by a *personal*
 Interest of his *own*, and not by Virtue
 of the Interest of the then Mr *WALPOLE*,
 that he had the fore-mentioned Place
 given him; — If this can be done, Mr *W*.
 will

will freely give up all Pretensions to any further Demands on the *Minister*; humbly thank him for his Generosity in the fore-mentioned Article of the 300 *l.* and publickly ask his Pardon for having been so troublesome to him.

If this is not done, 'tis humbly presumed, it will be because it cannot be done; and if it cannot be done, 'tis as humbly hoped, That Mr *W*'s Charge, on Oath, against Sir *R. W.* stands good, and becomes a sufficient Ground (since he has no way conformed, on his Part, to the *Agreement* therein sworn to) to have a *Petition* against him humbly laid before his Majesty, according to the Right expressly reserved by 13 *Car. 2, Chap. 5, for any Person to present any private Grievance to the King's Majesty, for Remedy to be thereupon had.* And it is humbly conceived to be no wrong Construction of the foresaid *Clause*, to interpret it to have a *principal* View to *Cases* of the same Nature with that of which Mr *W*'s *Appeal* consists, wherein the *King* is appealed to, as to a *Master*, against the unjust standing out of a *Minister*, as his Majesty's *Servant*, in an Act of manifest Oppression, to the high Detriment of a meaner *Fellow-Subject*?

Q. 3. Whether it be not more respectful, and much more dutiful in Mr *W.* (having a Right to *petition* his *Majesty* on the Occasion) to lodge his humble Application in the Hands of *Those* who, by Virtue of their Office, have more immediate Access to his Majesty, than to presume, *intrudingly*, to present it *himself*?

Q. 4. Whether lodging such *Petition* in *print* be any more *publishing* it, than presenting so many Copies *in writing* had been? and, Whether *every* Privy-Counsellor has not an *equal* Right to have the Compliment paid him, of being apply'd to on such an Occasion? The *lowest* and *meanest* of that most honourable Body having equal Privilege with the *greatest*, in respect to free Access to his *Majesty*, by Virtue of his Office. And consequently the *printing* such *Appeal* or *Petition*, can be understood only to be in Aid of the Trouble of *transcribing* so many Copies?

Q. 5. Whether the Right Honourable Members of the *Privy-council* are not, in the Eye of the Law, all, jointly and severally, the King's *Ministers*, and consequently are not as much Guardians of the *personal* Honour of the Crown, in their *separate*, as of the Crown and Kingdom's *Safety*, in their *joint* Capacity? And, Whether the personal Honour of the Crown is not affected, on Occasion of so high a Charge against a *Mini-*

Minister, to have it *inquired* into to have Justice done to such *Minister*, or to such *Party-Complainant*, that *Reparation* may be made to such *Minister*, for so high an *Accusation* against him, or to Mr *W.* for so great an Injustice done him, as is most humbly, and more fully set forth in his fore-said *Appeal*, and manifestly implied in the foregoing *Affidavit* ?

Q. 6. Whether it will not be much more respectful to his *Majesty*, as well as honourable in itself, for the *Minister* voluntarily to make Satisfaction to Mr *W.* for the *Injury* complained of, (if the fore-mentioned *clear Point* brought now to *Issue*, cannot be made to turn out in his Favour) than to have his *Majesty* troubled at all with it ?

— But if that cannot be comply'd with,

Q. 7. Whether Mr *W.* be not deprived of his *Birth-right*, (which he humbly conceives the Benefit of the Laws of his Country to be alike in all Respects,) if his *Appeal*, or humble *Petition* to his Majesty be not (if in *proper Hands* for that Purpose) humbly laid before his Majesty ; and if not, that he may be *admitted*, if it continues necessary, humbly to present it himself ; and that Justice be done in the Matter ?

And,

Q. 8. Whether since Mr *W.* has been so great a Sufferer, and for so long a Continuance ; and as it will take up so little Time
to

to determine the Matter (for he willingly rests the Merits of his Cause on the fore-mentioned *Counter-Affidavits* being or being *not* made against him) Whether he ought not most humbly to hope to have his humble *Appeal* taken into Consideration before his Majesty's Departure? But if that cannot be,

2. 8. Whether any Man can be a worthy Servant of a Prince of so great Honour, who will not, of himself, be led to prevent any *further* Complaint in the *Matter*, and the standing any longer on Record, a rational *Conviction* of so notorious an Act of Injustice against him, as is the Subject of Mr *W*'s most humble *Appeal* to his Majesty, now lying in the Hands of the *Lords* and *Others* of his *Majesty's* most honourable *Privy-Council*?

N. B. Mr *W*. no Ways desires that the *Church* should *suffer* in the Manner in which Recompense may be made him for the high Injury he has received, by his having conferr'd on him any Preferment therein which he is unworthy of, but that as the *Equivallent* of what he has been a Loser of, was converted to the *Minister's* own Benefit, in his Daughter-in-law's *Trustee*, so the *Recompence* to be made him (on the *Truth* of his *Complaint*) he humbly conceives, ought to be made, if the *Minister* be SOLVENT, out of *his* own private Pocket,

R. W.

Prov. xix. 9.

*A false Witness shall not be unpunished,
and he that speaketh Lies shall perish.*

POSTSCRIPT to the *Affidavit* and *Queries*.

IN this *Cause* has already appeared,

I. "A *State* of the *Case*," in a *Short History* of a Ten Years Negotiation between a *Prime Minister* and a *Private Gentleman*. Price 6d.

II. *Letters* and *Applications* (relating to Mr *W*'s *Case*, that passed from the Time of its being printed [and in the *Minister's* Hands] in *March*, 1737, to the publishing of it in *March*, 1738) "laid before the World to shew the earnest, respectful *Moderation* Mr *W*. used not to come to Extremity with so Great a Person, by having Justice done him without it." Price 6d.

III. A *Criticism* of a Right *Dis-honourable* Copy of Verses, addressed to the Rev. Mr. *Wh—y* in the *Daily Gazetteer*, April 13, 1738, on the coming out of his *Short History*, attempting to destroy, as much as in the
noble

noble Coadjutor's Power lay, Mr *W*'s both *moral* and *natural* Character.

Mr. *W*. once more lays Claim to the Protection of the *Laws* of his Country, while he asserts that the *Greatest Subject* in *England* has as little *Right* to publish a *Libel* on him, as He, or any other *meaner* Man, has on such *Greater* Person, tho' the *Remedies* for *Redress*, when done, may, *unenviedly* for him, be *different*.

N. B. The foregoing *Criticism* is out of Print, but the *Libel* itself is recorded in the following

IV. Three *Letters*. The *First* to the Right Honourable *Sir Robert Walpole*, writ in 1727, to prove Mr *W*'s subsisting and asserted *Right*, when the Minister *began*, formally, to lay him *by*; with the Minister's *Answer* thereto, "Shewing that it was not, *then*, a proper Time to run the risk of so hard a Case being laid to his Charge." The *Second*, a *Letter* to Lord Chancellor *King*, on his Lordship's *Character*, as it stood in *January*, 1727-8; "published to confirm Mr *W*'s intimate Knowledge of, and Acquaintance with his Lordship, and for other weighty Reasons. The *Third*, a *Letter* to his Lordship on Mr *W*'s taking the *Resolution* of entering into *Orders*. Published to obviate the vile *Aspersions* cast on him in the *fore-said Libel*, with respect to his entering into
"them."

“ them.” With a large *Prefatory Dedication*,
 “ and *Testimonials* in Justification of Mr *W*’s
 “ Character in all Respects, so inhumanly,
 “ and so ignobly invaded. 1739. Price 1s. 6d.

V. *Judgment Signed, &c.* writ to obviate all
Objections, that had the least Appearance of
 Weight in them, made to the Justice of
 Mr *W*’s *Pretensions* on the *Minister*, and to
 shew that no *Disparity* of Character or Cir-
 cumstance between the *Minister* and him, en-
 titled *Sir R. W.* in any Respect whatever, not
 to submit to *Truth* and *Reason*, and make
 Mr *W.* the *Reparation* that was so much his
Due. pr. 6d.

N. B. If any Body still stands out, and thinks
 so honourably of human Nature in so high
 an Elevation, as to esteem it impossible for
 the *Great Person* * Mr *W.* refers to above to
 be the *Author* of the fore-mentioned *Verses*,
 Mr *W.* begs Leave hereby to assure both
Friends and *Enemies*, that he has direct
Proof of it, and desires no better than a
publick (as there was, meanly, at first, a
private) Denial of it to produce it.

VI. *The Dernier Resort: or, An Appeal*
 to the *King* in the Cause between the Rt Hon.
Sir Robert Walpole and Mr. *Whatley*.

* Then V.—Ch—n, and now L—P—S—l.

Note, The 1st, 2d, 4th, and 5th *Numbers* are to be had at the Booksellers. The 3d is out of Print, and the 6th not sold.

One Final Query on the Whole.

2. Whether so high an Invasion of his *Fortune*, at first, so long continued in, and of his *Character*, afterwards, on his Endeavour to do himself Justice, did not, with the highest Reason, require the exerting the steadiest Spirit in his own Vindication, If little Mens *Characters* and *Fortunes* may be allowed to be as *dear* to 'em, as those of their greater Neighbours are to them? And, Whether any Thing can turn out more to any Man's Honour, than publicly and consistently with the Laws of God and Man, to call to Account the *Greatest* Fellow-subject on so great Provocation, and to bring his Case so *near* to a Decision by the best of *Sovereigns*, and most honourable of *Princes*, and that without the Suggestion or even Privy of any Measure he has taken of any Man, untill it was by himself resolved upon? *This* he shall always consider, with the *Fruits* he has already received, and is daily receiving, from the Approbation of the best of Men of what he has done, as some *Return* from the divine Providence
for

for what he has irretrievably *suffered* in Point of Fortune and Character in Life, for so long a Time, now fifteen Years. Lastly, (as he once said, on a former Occasion,) He is an *Englishman*, he thanks God; but desires to be so no longer than he shall possess the true Spirit of one, in readily submitting himself to an *Act* of *Justice*, and in *despising* an *Act* of *Power*.

C O N C L U S I O N.

HERE, RIGHT HONOURABLE, and Honourable, is the *Deduction* of what has pass'd in relation to my humble *Appeal* to his MAJESTY, now, with the *Affidavit* and *Queries*, lying in the Hands of the *Members* of the most honourable the *Privy-Council*, upon the *Issue* here *taken*. And the *following* are the *Observations* which I presume will naturally rise from my having humbly laid the *Whole* before You.

FIRST, Whether allowing the *Charge*, there has been really any *Injustice* done, or *Act* of *Oppression* committed?

Not to take up YOUR Time unnecessarily, I beg, for the Honour of human Understanding, I may be allowed to admit *this* as *Self-evident*.

SECONDLY, Whether there be any *Proof* of the *Injury* alledg'd?

That, RIGHT HONOURABLE, and Honourable, is what is now at *Issue* before You.—The Noble Person has given an *Answer* to my *Complaint*

againſt him, (*He knows to WHOM, and on WHAT Occaſion, and conſequently from WHOM I received it,*) that if *true*, entirely ſubverts my *Charge*. — I know, RIGHT HONOURABLE, and Honourable, this *Answer* is not founded on *Truth*, that it is a moſt notorious *Untruth*. And I declare this expreſſy before the two moſt Honourable and Illuſtrious *Bodies* of Men in the World, — to the LORDS and Commons of Great Britain in Parliament aſſembled, He Himſelf a Member of one of them, and a *Privy-Counſellor*. And there are Two Perſons in Being, his *Friends*, and within his Call, that can diſprove me, if I am *miſtaken*, and atteſt the *Truth* of it. If he will call upon *Theſe* to ſupport his *Answer*, and they do ſupport the *Truth* of it, in the Manner required, I freely give up my own Evidence to the contrary: Tho' it is compoſed of what He Himſelf told me. But this RIGHT HONOURABLE, and Honourable, I ſay, becauſe I am ſafe in *Their* Honour.

If They are not called upon to maintain it, becauſe *he knows* They neither can, nor will do it. — Can there be *Juſtice*, can there be Evidence in the World, and this not be interpreted “a *Confession* of the *Charge*?” And *Judgment*, as in the like Caſes given, by every one who ſhall read this moſt humble *Address*, “That “I have PROVED the *high Injury* complained of “to have been done me by Him, beyond all “*Exception*.” Forms of Evidence are neceſſary to ſupport Evidence in *Inferior Courts*, but with YOU, RIGHT HONOURABLE, and Honourable, and with Mankind at large, Evidence, of whatever Nature, has always been its own Support.

On Suppoſition of the *Validity* of the *Proof*,
on

on my Side, the next *Question* that *arises* will be, "In what Manner I suppose Recompense " can be *legally* made me, in consequence of my " *Appeal* to his MAJESTY, now by this *Interlocutor*, as I may say, brought before You?" — As to *Which*,

In the *First* Place, I humbly hope there will be *no* Occasion, at all, for *any* Interposition from *ANY Quarter* to procure me *Satisfaction*. The Notoriety and Greatness of the *Injustice*, so *acknowledg'd* and *confessed*, in *Presence* of, as I may say, KING, LORDS, and Commons, must raise so high a Resentment at the Injury done, in every *Breast* that has any Sense of Honour in it, (and *which* of YOURS, RIGHT HONOURABLE, and Honourable, is not fill'd with it?) as to bring the *Greatest* Man to stand out no longer from making Satisfaction on the Occasion, but be glad to make his Peace with You, and with *Me*, at any Rate. His own Interest, his Glory, his Honour, his Honesty, as a private Gentleman, is concerned in his doing it. I won't add what would otherwise be worth *HIS taking Notice* of, on the Supposition there was no *legal* Remedy for me, — his *Safety*, — because I am a *Christian*. It is, I think, impossible that so great an Act of Dishonesty *confessed* can be supported by *Any* Man, within YOUR View and Knowledge, without making *Reparation*, if he be *able*. The Prospect of this has been one great Occasion of thus laying my *Case* before You. And I think it hardly possible that it will not take Place. I think I have an *Earnest* given me of its doing so on the very Face of his *Answer*, because nothing but the *not* being able to bear the *Shame* that

that visibly attended the *Truth* of my *Charge*, could occasion the advancing so great an *Untruth*, by way of *Answer* to avoid it. — I always think there is some Ingenuity in the *Child* that tells a *Story* to conceal a *Fault*. — But further,

If my *Appeal* had gone directly to the *THRONE* at once, and the *Answer*, in question, given *THERE*, On my *challenging* the *Proof* of it (in his *Power* to produce, if *true*) to be brought to support it, and his not *doing* it, — would it have been borne with, by his *Royal MASTER*, if *He* did not immediately make *Restitution*? Or, are *Royal Masters* the only *Masters* in the *World* that do not think their *Honour* concerned in the *Honour* and *Common Honesty* of their *Head-servants*? — It may have been so, I confess, with *Some Princes*, but not with *HIM*, *We* have to deal with, whose *true Character*, if it were sum'd up, in one *Word*, is, *HONOUR* itself. And can *YOU*, *RIGHT HONOURABLE* and *Honourable*, have before *YOUR Eyes* a *GREATER Example*?

For these *Reasons*, I am really ashamed to take up *YOUR Time* in going further, in *supposing* the *Noble Person* will *continue* under the *Weight* of the, so acknowledg'd, *Dishonesty* committed, so solemnly come to *Your Knowledge*, and not take *Shame* to *Himself*, and voluntarily come to *Account* with Me. — But as this is the *last Time* I shall plead my *Cause*, unless at my *SOVEREIGN's* or *YOUR Commands*, and as in *Arguings* or *Pleadings*, *Cases* are often put that may never happen, I beg *Leave*, for once, to *suppose* this, “That the *Noble Person* still *stands out*.” Then,

The next *Question* will be, “What *further* “Benefit do I *propose* to myself by my *Address*,”

RIGHT

"RIGHT HONOURABLE, and *Honourable*, to
"You?"

I *Answer*, and I humbly hope I am not too
presuming, if I flatter myself, "That, in YOUR
"OWN Time, *before* You rise, You will take
"cognizance, in Form, of my humble Com-
"plaint."

WHAT is there that the two *Houses* of *Par-*
liament cannot take cognizance of, if they please?

—"ONE *House* not at all, and the Other
"only as it comes before Them by Appeal from
"Courts below—of Matters of private Property."—

I allow it. But I humbly apprehend Acts of
ministerial Oppression committed and done by
Virtue of *ministerial Authority*, as well pri-
vate as publick, are of a *peculiar Nature*, and
as such, of YOUR Cognizance. And that You
have it inherent in YOUR Power, and is suited
to the Spirit of YOUR *Proceedings*, in many
Cases, to take Notice of them, *in Chief*.

—"But Then they must be regularly laid
"before Us, not sent Us from the Press, — and,
"besides, accompanied with proper Evidence."

(— I beg, RIGHT HONOURABLE, and Ho-
nourable, I may be allowed the Freedom of an
English Subject, here, in *maintaining* my Cause,
since *Respect* to those I have taken upon Me to
Address myself to concerning it requires that I
should assert it to the uttermost, as well as due
Regard to my own Interests. — *Abraham* was
allowed to *reason* with his MAKER—I hope I
may with YOU.)

SUPPOSE then That I had writ, and published
any Thing *obnoxious*, as we see too often done,
and very justly censured, sometimes by One, some-
times

times by the *Other House*, and sometimes by *Both* — How comes any Thing of this Sort to *YOUR Notice*? Is it not, *RIGHT HONOURABLE*, and *Honourable*, first, from its being met with, and read *without Doors*, and then complained of *within*? — Honour my *Cause* with *YOUR* perusal, and can *Complaint* not be made of it? My *Story* must be either *true*, or *false*. If *false*, will it not be for the Honour of *both Houses* to *call me to Account* for it, — *One*, as the *Right Honourable Gentleman* is a *Member*, and *Both* as *He* has the Honour to be a *Privy-Counsellor*? And if founded on *Truth*, and the *Injustice* complained of *apparent*, does not the *same Reason* prevail *à fortiori* for *YOUR* taking Notice of it? Or is *Injustice* we *commit* of a *less* heinous Nature than that which we have *done* to *Us*? — Shall the *Smallness* of the *Injury*, in that *Case*, hinder it from being taken Notice of? On the contrary, has not the *total Subversion* of both *Character* and *Fortune* attended it? Is it not even *irreparable*? I had rather have had my *Original Fortune* given Me in the *Provision* made for Me, and *paid* for, by the *RIGHT Honourable Gentleman's* own *Confession* in 1725, than *Houghton-House* and all its *Furniture*, at present.

But Who must move and second it for You?"

I am in no Apprehension, *RIGHT HONOURABLE* and *Honourable*, about this. — If, I am right in my *Premises*, "That it will be thought "to concern You to take Notice of it, I have "too high a Sense of *YOUR Honour* to doubt of "the *Conclusion*, of its being taken Notice of." I beg Leave to add — of your *Interest* too; for if it will not require to be taken Notice of,

for

for your own Sakes, for Example sake, I desire it may never be taken Notice of for *Mine*.

—— “ BUT *What signifies* our taking Notice “ of it at all? Which way can we order you “ *Reparation* ——?

LET Me, RIGHT HONOURABLE, and Honourable, but have a *Resolution* past in my Favour, of the *Injustice* done, and I don't, in the least, fear his speaking with the Plaintiff, or making Me Satisfaction out of Hand.

BUT further; Another Way of taking Cognizance of it, and an undeniably regular one, if the above-mentioned *Proviso* of the 13. Car. 2, signifies any Thing, is, That both Houses may recommend it to the *Privy-Council* to lay it before his MAJESTY, and his Majesty do in it according to *Law*. Or, Your Lordships being *Consiliarii Nati*, as I humbly conceive, may acquaint the THRONE with it, directly, every One of You, at any Time, in the same Manner as any *Privy-Councillor* is entitled to do.

To conclude. WHAT ever RIGHT HONOURABLE, and Honourable, shall be or shall not be done on Occasion of this most humble *Address*, The Case is now before You, and, as before You unavoidably before the *World*, for I had no other Way of humbly handing it to You. (The more it is known the more universal will be YOUR *Glory* in doing what is RIGHT therein.) —— And Either there is *Proof* of the *Injustice* done, or there is not. Either there is a *Remedy*, or there is not. And wherever there is a *Remedy*, at Hand,

G

to

to *Redress* an *Act* of *Injustice*, the not *Exerting* it will be taken by all *impartial* Persons to be a *participating* of the *Original Guilt*. — This moral *Maxim* is true in any Matter, where the GREATEST PERSONAGES are concerned as well as the *Least*. — But I shall have the greatest Injury added to what has already been done Me, if it should be thought I *insinuate* hereby, “ That You will not take any cognizance of my *Affair*, however apparent and great the Injury complained of may be, altho’ You have it in Your Power, — Far be it from Me to entertain such a Reflection in the most inmost Thoughts, and Recesses of my Mind. — But I humbly throw it in to *fortify* my *Argument*, and to Excuse my Presumption with unwary Readers. — You know YOUR Powers, and will, undoubtedly, *execute them*.

I KNOW but one *Objection* RIGHT HONOURABLE, and *Honourable*, to YOUR taking Notice of the Subject of my humble Complaint, if You shall be of Opinion with Me, that it is *within* YOUR Powers to do it, *viz.* “ That the “ *Injury* which has been done Me is *irreparable*.” Indeed it is so *strictly* speaking. But I freely acquit the Noble Person of *what* He cannot make Me *amends* in, in Consideration of *that* in which he *can*. An *Entrance* into Life, under the *Auspicious Protection* of a Lord High Chancellor and Prime-Minister of my own Country, possessed of the *Testimonials* of the *personal Respect* of so much Foreign Greatness both of *Sovereigns* and *Subjects*, as is well known I had the Honour to return
with

with from my Travels, together with the *private Friendships* I had at Home to *Second*, on Occasion, whatever *Greatness* at Home should put me in Possession of, might in *Others* at least, with as mean Abilities and Accomplishments, as fell to *my* Share, have countenanced a reasonable Expectation of having some Success and Distinction of Life attending it. — *That* is, now, all over. All the Complacency in the Hopes of it, and all Regret at the Disappointment have long since subsided, and are entirely vanished. And, Content with the happy Privacy of my present Condition, I should have sat down in Peace under the overbearing Oppression, nor ever troubled the World with it, had not a just, and as I humbly apprehend a becoming and commendable Regard to my *proper* Character so unjustly borne upon through the Disappointment I met with in Respect to Fortune, excited me in some Measure to do what I have done. — But *this* likewise I might possibly have borne with while considered in *itself*. But as I foresaw that whatever *Usefulness* in the Way of Life I now am in, or by Virtue of my private Studies, I might ever become Master of, would be greatly *impaired*, whilst I lay under the unjust Reproaches cast upon Me, I thought it a Duty I owed to God, as well as to *Myself*, to assert my *Right* to an *Original Fortune*, (the Purchase of no inconsiderable private Inheritance laid out in the best of Educations under the greatest Patronage) and *thereby*, (as I hope I have done, in the course of this Affair, let what will be the Issue,) vindicate my Right to an *Original* Character, which I have

no Ways any Reason, I thank God, to be ashamed of.

There is indeed *another* Inducement that has, as will be thought, very justly *animated* Me to do what I have done, *viz.* "That by bringing the *Minister* to some Reason, I might, by receiving some *Part*, at least, of what is my *Due*, in some Shape or other, be enabled gratefully to return the *Honourable Obligations* I so generously received in my *adverse* Fortune." This is an Incident in Life that has befallen to Men who much better deserved it than *Myself*. The *Minister's* own Fortunes, in the Course of his Life, if Fame says true, have had a *Coincidency* with mine in this Respect. And I hope *He* will, now the *Matter* between Us is brought to the Bar of the Great and August Tribunal it is now *before*, no longer *stand out*, But *unless* *He* can support his *Answer* to my *Appeal* by the *Proof* required, readily suffer his Generosity, should a *Sense* of *Justice* be still dormant, to inspire him to put me into possession also of the *other* more agreeable *Coincidency* that has fallen to his Share, of amply requiting them in my Turn. And as I am a *Minister* of *Peace* by Profession, and a Lover of *Peace* by Nature, I hope it will not be deem'd unnatural, or unbecoming, nor too presuming, If on the *Conclusion* of this most humble *Address* to YOURSELVES, I previously entreat your amicable *Mediation* in the *Affair* between Us, to induce him to make me Satisfaction, by *Persuasion*, before Matters go to that Extremity, as to *forward* his doing it, by *Justice*.

I most

[53]

I most heartily pray the DIVINE BEING to
bless YOUR Consultations for the Good of the
Nation, And beg Leave to Subscribe Myself,

RIGHT HONOURABLE

and HONOURABLE,

YOUR



Berry-street, St. James's
Jan. 9, 1741-2.

most humble and most

obedient Servant,

ROBERT WHATLEY.

VOLUNTARY Verses to Mr Whatley's HONOUR, on
the Coming out of his Short History, writ by a Noble
Lord then V-cc Ch-----n of the Court, and now
L--d Pr--y S--l of the Kingdom.

To the Author of the Daily Gazetteer.

S I R,

IF there be any thing in the following Lines that sets
a late Case in a proper Light, you will, I make no
question, if convenient, *suffer* them to make their Ap-
pearance by the Canal of your Paper. If otherwise, I
must desire you to let them be sealed up, and left till
called for in the Name of -----

A VOLUNTEER.

To the Reverend Mr Wh-----y.

PERplex'd out comes at last THY teizing Case:
Good Lord! what Patience shewn to get a Place.
Did ever Martyr Persevere like THEE!
Or shew a Spirit of more Constancy?/
Full Ten long Years, and more Attendance giv'n!
Wou'dst THOU waste half in Pray'r to merit Heav'n?
Fell Disappointment! What a bitter Pill!
Thou Source of Patriot Saints! of all Ill-will!
Laymen for Thee, how much soe'er 'gainst Grain,
Resent, take Orders, Scribble and complain:
However fit to shine in publick Scenes,
Without the Pow'r, possess'd of all the Means;
Stabbing Reflection! Nor at Twenty-four
To taste those Joys----a Bottle and a Whore!
Compell'd to make a nauseous Draught go down,
And quit dear Revels for a Parson's Gown!
THY Prime worn out, O Dire! in dangling Hope!
Thousands, much less provok'd, wou'd buy a ROPE.
Be mod'rate still, nor trust encreasing Rage,
Lest Madnefs finish THY concluding Page.
Yet if THOU must spin out the self Debate,
Now of Lord K---g, and now of W-----le prate;
Must feast THY self with THY own Consequence,
Tho' at THY Pocket's and THY Head's Expence,

E'en

E'en *publish* on, and wildly calculate :
 In *THY* Account, *Hopes, Merits, Losses, State :*
 Menace the *Minister* with *Things untold,*
 Some deep *Reserve* to force th' unwilling *Gold ;*
 The Town will Laugh----*THY* Rev'rend Brethren see,
 Poor *Budgel* only was a Type of *THEE.*

—What *Elegance*, what *Politeness*, what *Truth*, what *Beauty*, what *Common Honesty*, what *Uncommon Honour* is *Here !*-----If the *Merits* of the *Case* were known to his *Lordship*, “ What refined *Justness* of *Sentiment ?* ” If wholly *unknown*, “ What immense *Probity* of *Heart ?* ”

But what *inward Conviction* of the *Injustice* done me must there not have been in the Heart of *that MAN* who could make Use of *SUCH a Measure*, as by these *foregoing VERSES* and *following NOTE* was taken to *stifle* the *Complaint* of it, if done by *Order*, or, if *wantonly* undertaken for his *Service*, by not *disowning* it immediately ?

As the following Note accompanied the Verses at first,
I cannot conclude with Justice without letting it also
accompany them here.

N O T E.

I cannot resist making a *Note* here.——If every *PLACE BEGGAR* who was refus'd, should take it into his Head to fancy himself injured, and had the same *Boldness* of *Resolution*, to do himself *Justice*, with the same *impertinent* Redundancy of the Reverend Author in Question, the Town would not afford *Presses* to print *Cases*, nor *Shops* to contain them.

Whether I have been a *Place-Beggar* is now at *Issue*. My *Boldness* is founded on my *Reflections* on the *Nature* of *Man**, my *Resolution* on my natural Temper, and as for my *Redundancy*,----this must be acknowledged to have been greatly *impertinent*, whilst it has brought the *Minister*, at length, to *Answer*, and laid him under the *Necessity* of doing *Justice*, or of having *Justice* done him.

R. W.

* I have accounted with the World for my *Boldness*, on the Occasion, more at large, in the *second Part* of *JUDGMENT SIGNED*, p. 22, &c. &c.

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Mortem meam futura est, quam qualis hodie sit Cic.*
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— Quem Te DEUS esse

Juffit.

Pers.

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— Neque

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Our greatest Evil, or our greatest Good.

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Lord Chancellor King (Book, p. 30. &c.) of the Author,
by a Lord, (Dedic. p. xxiii.) By a Bishop, (*Ibid*. p. xxiv.)
By a Dean, (*Ibid*. p. xxi.) By Mr Orator Henley, *Ibid*.
p. xxvii.) By a Lutheran Priest (p. xlvii.) By a Burgo-
Master of Hamburg, (p. xlviii.) By a GERMAN
PRINCESS, (p. lx.) By the Author himself, (p. xxiii.
& lxii. 48, 56, 57, &c.) By a KNIGHT of the GAR-
TER, (p. xxxi.)

2. SENTIMENTS, On ROYALTY, p. xviii, xix. On
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Virtues of High Life, p. 23, 41. On those of Low
Life, *ibid*. On the Jealousy of Ministers, p. 25. On
Greatness with Popularity; on Greatness without it,
p. 30. On the Duty of Great Men, p. 59. On that of
Little Men, *ibid*. On Religion, p. 59. On the BIBLE,
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Defence, p. 51, 59. Its improper Defence. p. 63. On
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Part, p. 40.) Of the Prince of Wales, (Book,

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